



Washington State  
Public Disclosure Commission

# Mini Campaign Reporting



## 2006 Campaign Disclosure Instructions

"The public's right to know of the financing of political campaigns and lobbying and the financial affairs of elected officials and candidates far outweighs any right that these matters remain secret and private."

RCW 42.17.010 (10)

# THE PUBLIC DISCLOSURE LAW

Adopted as Initiative 276 in 1972

Codified as Chapter 42.17

Revised Code of Washington

The Public Disclosure Commission, five citizens and a small full time staff, administers the law and the rules implementing it.

Instructions in this booklet are provided to assist in the preparation of campaign disclosure reports required by chapter 42.17 RCW. Care has been taken to make these instructions accurate yet concise. However, these instructions cannot be substituted for the applicable provisions of chapter 42.17 RCW and 390 WAC. The law and rules are controlling in the event of any conflict with or omission in the instructions. Copies of the law and rules are available on request.

This manual covers the mini reporting option. There are separate Full Reporting instruction books for state executive and legislative candidates, local and judicial candidates and other political committees.

**PDC also has computer software available free of charge to assist with campaign record keeping and reporting. Call the number shown below for details.**

All reports on file with the Commission are public records. Copies are available at cost:

Paper copies of scanned records:	per page
Diskette:	\$.25 each
CD ROM:	\$ 2 each

A significant amount of information filed with the Commission by candidates, political committees and lobbyists is available on the Internet. **PDC's Web address is:**  
<http://www.pdc.wa.gov>.

We welcome your suggestions for revision of these instructions. Direct them to:

Public Disclosure Commission  
711 Capitol Way Room 206  
PO Box 40908  
Olympia, WA 98504-0908

Telephone (360) 753-1111  
Toll-Free 1-877-601-2828  
FAX (360) 753-1112 (DO NOT send reports by fax)  
E-mail: pdc@pdc.wa.gov (DO NOT send reports by e-mail)

# Is Mini Right for you?

The mini reporting option limits candidates and political committees to raising and spending no more than \$3,500, not including the filing fee. In addition, under mini reporting no contributor may give more than \$300 in the aggregate, except for candidates giving to their own campaigns.

Candidates and political committees choosing mini reporting must file registration statements (the C-1 form for candidates and the C-1pc form for political committees) and keep records of their contributions and expenditures. However, they do not need to file contribution and expenditure reports. A Personal Financial Affairs Statement (F-1) is required for candidates selecting the mini reporting option.

Before deciding to significantly restrict your campaign buying power, consider such factors as your level of name identification in the district (Do the voters know who you are and what you stand for?), the caliber of your opposition (Are you challenging an incumbent or another person who's especially well known and respected in your community?), and have you considered the cost of printing and mailing brochures or of newspaper and broadcast advertising?

These factors and more must be taken into account before selecting a reporting option. The Public Disclosure Commission (PDC) suggests you do some research and rough out a budget for your campaign. You may find – as experience has shown us at PDC – that \$3,500 doesn't go very far and is generally insufficient to wage a full-scale, visible campaign. While there is a mechanism for changing reporting options, you will save both time and aggravation if your first choice of options is the right one for you.

Candidates choosing the mini reporting option are required to file a Personal Financial Affairs Statement (PDC form F-1) and a candidate registration (PDC form C-1). Both of these forms are due within two weeks of becoming a candidate.

Political committees using the mini reporting option are required to file a political committee registration (PDC form C-1pc). This report is due within two weeks of the committee's forming, unless the committee forms within three weeks of the election, then the report is due within three business days of forming. Continuing political committees also file the C-1pc annually between January 1 and January 31.

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# Part 1. General Information About the Law

## Introduction

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The primary purpose of the campaign disclosure provisions of the Public Disclosure Law is to provide citizens of this state with the means for becoming informed about the financing of political campaigns. The law requires that records be kept and reports be filed of all contributions and expenditures. Detailed reporting of small contributions and expenditures is not mandated.

All candidates and committees subject to the Public Disclosure Law must do some reporting to the Public Disclosure Commission (PDC), regardless of the amount of money they will receive from contributors or spend on their campaigns.

This instruction manual is designed for candidates and political committees and their treasurers who have selected the mini reporting option.

The key to complying with the Public Disclosure Law is to keep detailed records of each contribution and expenditure and file reports on time. All records acquired with respect to the campaign must be kept for five years from the date of the election.

**Reports are considered filed as of the postmark or hand delivery date. The original of each campaign disclosure report completed is filed with PDC. A copy of each report is also sent to the elections office of the county in which the candidate resides. Political committees, including continuing political committees, file copies of their reports with the county election office of the county in which the committee headquarters is located, or if there is no headquarters, the county in which the treasurer resides.** A listing of the name and address of each county's election office is located on page 39 of this manual.

Candidates for some city offices, for example, City of Seattle offices, must also file disclosure reports with the city clerk based on city ordinance requirements. Check with your local city clerk to see if such a local ordinance applies to you.

All paper reports, schedules and attachments should be typewritten or printed in black ink. Use 8 1/2" x 11" white paper for attachments or enclosures. Reports are scanned into a document imaging system for viewing on computer monitors. (The paper reports are then sent to the State Record Center for storage.) If a filer submits over-sized paper this significantly slows down the process for entering reports into PDC's record keeping system.

## Computerized Record Keeping and Reporting

Persons who must file campaign disclosure reports may obtain copies of the blank forms they will need from PDC at [www.pdc.wa.gov](http://www.pdc.wa.gov) or their county auditor's office (in King County, contact the Records, Elections and Licensing Services Division). Or, computer software is available free-of-charge. The ORCA (Online Reporting of Campaign Activity) software will create all of the candidate and political committee reports necessary to comply with state laws. Each report is automatically produced and can be electronically filed over the Internet and/or printed for hard copy filing.

Minimum System Requirements –Windows 98; 256 MB RAM, Pentium 1 Ghz; 500 MB free HD space; an Internet connection; and Java Runtime Environment (JRE) 1.4.

## Mandatory Electronic Filing

All candidates who expect to spend \$10,000 on the current campaign or met the \$10,000 expenditure threshold in the last campaign for the same office are required to submit campaign finance reports electronically. Additionally, all political committees, including ballot measure committees, who expended \$10,000 or more last year, or expect to spend \$10,000 or more during the current year, are required to submit campaign finance reports electronically.

The PDC has developed free campaign finance reporting software for use in filing Washington State disclosure reports electronically. The application is NOT campaign management software; it is designed specifically to meet the reporting requirements under RCW 42.17.

If you are using a different type of campaign finance software, the PDC can send you a vendor kit; a software development package that with some additional advanced programming, may enable your campaign to file electronically using your current software.

**The Commission may make exceptions on a case-by-case basis for candidates whose authorized committees lack the technological ability to file reports electronically. A candidate seeking an exception under RCW 42.17.3691 shall file with the PDC a written statement of reasons why the authorized committee lacks the ability to file reports electronically.**

## Who Must Report

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<b>Any candidate who receives or expects to receive contributions of \$5,000 or more in the aggregate is subject to all provisions of the state public disclosure law.</b>
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Candidates who seek public office in jurisdictions that had 5,000 or more registered voters as of the last general election or in jurisdictions that encompass an entire county are subject to all provisions of the state public disclosure law.

Candidates for some offices are exempt from campaign record keeping and reporting requirements provided they do not expect to receive contributions of \$5,000 or more in the aggregate; the list of exempt offices is located in the "Candidates Exempt From Reporting" section.

A person subject to the state public disclosure law becomes a candidate (and must begin reporting campaign activity) at the time he or she first does any one of the following:

- receives contributions or makes campaign-related expenditures;
- reserves space or facilities to promote his or her candidacy;
- purchases commercial advertising space or broadcast time to promote his or her candidacy;
- gives consent to another person to undertake one or more of the above actions on his or her behalf;
- publicly announces he or she is seeking office (even if this candidacy is conditioned on a future occurrence, like the outcome of polling, the receipt of a certain level of campaign funding or other indications of significant public support); or
- officially files for office.

Candidates who only use their own funds and do not accept contributions from others to conduct their campaigns must still keep records and file disclosure reports.

A candidate is limited to one campaign committee. However, a candidate may also participate in a committee organized to support a slate of candidates and in joint fund raising efforts. For more information, see Joint Fund Raising and "Slate" Committees on page 36.

## Candidates Exempt From Reporting

Candidates seeking election to the following offices are exempt from the record keeping and reporting requirements of the state public disclosure law:

- Precinct committee officer;
- Federal office (subject only to federal campaign laws);
- Offices in a city or other jurisdiction that had fewer than 5,000 registered voters as of the last general election and that does not encompass an entire county, provided that the candidate does not expect to receive contributions totaling more than \$5,000 over the course of the entire campaign;\*
- Offices for which voters must have special qualifications not specified in the State Constitution (such as owning property). Examples include the following districts:

Agricultural Pest Control	Irrigation
Cemetery	Irrigation and Reclamation
Diking	Irrigation and Rehabilitation
Drainage	Mosquito Control
Education Service	Public Waterway
Flood Control	Sewer Improvement
Intercounty Weed	Weed

\*Candidates in towns or districts that had 1,000 or more registered voters as of the last general election are required to file Statements of Financial Affairs -- PDC Form F-1.

NOTE: All candidates for state, local, or judicial office must still adhere to the law and rules governing political advertising and the prohibition against using public equipment or other resources to support or oppose a candidate or ballot measure regardless of whether they are exempt from the record keeping and reporting requirements of the state public disclosure law.

## Political Committees

Washington State political committees that raise and spend money to influence certain elections must register and report in accordance with the Public Disclosure Law. Following adoption of Initiative 134, a political committee (other than a bona fide political party and caucus committee) may receive unlimited contributions from its donors, but is limited in the amount it may give to candidates for state office, to bona fide political party committees and to legislative caucus committees. There is a separate PDC instruction manual for political committees raising and spending over \$3,500 that discusses registering, reporting, and I-134 restrictions in detail.

A political committee is any person, group, club or organization (except a candidate or individual dealing with his or her own funds) expecting to receive contributions or make expenditures in support of or in opposition to any candidate or ballot proposition. Although a group may be a civic, social or professional organization primarily, it also may be a political committee if it accepts contributions specifically for use in election campaigns.

In addition, any group expecting to receive or spend funds to assist its efforts to have an annexation or incorporation issue placed on the ballot is a political committee and must register and report accordingly. Deciding to hire a lawyer to assist with getting an annexation or incorporation issue on the ballot triggers committee status for a new committee and any legal costs incurred would be reportable campaign expenditures.

Political committees typically spend money to: support or oppose candidates; support or oppose any levy, referendum, initiative, recall or other ballot proposition; and/or make contributions to candidates or other committees.



A political committee is exempt from reporting if its sole purpose is to support or oppose a local ballot measure in a town or district that had fewer than 1,000 registered voters as of the last general election. Exempt committees must still comply with the legal provisions governing political advertising and the prohibition against using public resources to support or oppose any election campaign.

If a committee does not dissolve, pay all outstanding debts and dispose of any surplus money as of the report filed the 10th of the first month following the election, it must continue to file reports until the campaign account has a zero balance and all debts are paid.

**Continuing political committees** are those committees that are organized for more than one election season. Examples include business or labor committees and other on-going PACs. Continuing political committees are subject to the same general requirements as committees organized for one election only. The major difference between the two is that continuing political committees keep books on a calendar year basis, while other committees maintain their books for the duration of the campaign.

**Contribution Limits:** No PAC, political committee or continuing political committee (except bona fide political parties and caucus committees) may contribute more than the following amounts to these recipients:

State Executive Candidate	\$1,400 in primary 1,400 in general
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State Legislative Candidate	\$700 in primary 700 in general
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Judicial Candidates	\$1,400 in primary 1,400 in general
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King, Pierce, Snohomish, or Spokane County* Office Candidate	\$700 in primary 700 in general
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Port of Tacoma or Seattle* Commissioner Candidate	\$1,400 in primary 1,400 in general
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*Any other Local Candidate	No State Limit
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Major or Minor State Political Party Committee	3,400 per year
County Central Committee	3,400 per year
Legislative District Committee	3,400 per year
Legislative Caucus Committee	675 per year
Ballot Proposition Committee	No State Limit*

\*County office candidates and port commissioner candidates are subject to limit only if there were more than 200,000 registered voters in the jurisdiction as of last general election.

Candidates seeking a City of Seattle office are subject to a local ordinance limiting contributions. Other jurisdictions may have imposed their own limits. Check with the county auditor, city clerk, or the city/county elections commission to verify if a particular candidate is subject to local contribution limits.

There's an additional restriction on contributions given during the 21 days immediately before the General Election that has no impact on a candidate or political committee who selects the Mini Reporting option. During the 21 days before the general election, no candidate for statewide office, including justice of the state supreme court, may accept aggregate contributions of more than \$50,000 from any contributor eligible to give that much. Similarly, candidates for other offices may not accept contributions totaling more than \$5,000 from any eligible contributor during this three-week period. These limitations do not apply to contributions accepted from the state committee of a major political party or from a minor party.

## Bona Fide Political Party and Caucus Committees

Since December 3, 1992, the effective date of Initiative 134, new privileges and obligations were granted bona fide political party committees and caucus political committees that are not shared by other political committees or continuing political committees. Bona fide political party and caucus political committees are now restricted in the amount of contributions they may accept from many donors, but they are allowed to contribute more to candidates than are their PAC counterparts.

There will be a separate PDC instruction manual available for bona fide political party and caucus committees using full reporting. However, it must be emphasized that not all committees that consider themselves political party organizations (e.g., Mens and Womens political clubs, Young Democrats or Republicans, and the like) fit the legal definition of "bona fide political party." As such, these tangential party clubs and organizations must follow the directives governing continuing political committees.

By law, "bona fide political party" means: 1) the governing body of the state organization of a major political party; 2) the official county central committees of a major party; 3) the official legislative district committees of a major party; and 4) an organization that has filed a valid certificate of nomination with the secretary of state under the state election code.

## Reporting Options

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All candidates who are not exempt from reporting must select a reporting option. That choice will be guided by the amount of money a candidate intends to raise and spend on his or her campaign.

**Regardless of which option outlined below is chosen, all candidates and political committees must keep accurate, detailed records and make these records available for public inspection during the eight days preceding the primary, general or special election in which they're participating.**

**Mini Reporting:** This reporting option is only available to candidates who will raise and spend no more than \$3,500, in addition to the amount spent on their filing fee, and who will receive no more than \$300 from any one contributor other than themselves. Filing fees paid for by political party committees are also exempt from the \$300 contribution limit threshold. Candidates choosing mini reporting must file the candidate registration statement (the C-1 form) and keep records of their contributions and expenditures. However, they do not need to file contribution and expenditure reports. A Personal Financial Affairs Statement (F-1) is required. See Mini Reporting Instructions.

**Full Reporting:** All candidates raising and spending over \$3,500 on their campaigns or who wish to receive more than \$300 from any contributor, other than the candidate's own funds, must use the full reporting method. Full reporting filers will submit frequent, detailed reports of the contributions they receive (C-3 reports) and the expenditures they make (C-4 reports with various schedules). The C-4 is used to summarize the campaign's financial activity. A Personal Financial Affairs Statement (F-1) is also required.

## Changing Reporting Options

The Public Disclosure Commission realizes that campaign circumstances change and that candidates are not always able to forecast campaign costs accurately, and may need to switch to a different reporting option. So long as a completed application for changing options is received far enough before the election the application will be approved by the executive director.

In order to change from one reporting option to another, a candidate must send a completed application for changing reporting options to the PDC executive director which includes:

- a statement that verifies you have notified each opposing candidate or committee in writing of your plan to change reporting options. Certified mail is suggested;
- an amended registration statement (PDC form C-1) indicating the new reporting option; and
- PDC forms C-3 and C-4 with relevant schedules and attachments disclosing all contributions and expenditures.

**From mini reporting to full reporting.** If a candidate or political committee wishes to change from mini to full reporting and the completed application for changing options is received at the Public Disclosure Commission's office on or before 30 business days prior to the election, the application will be approved by the executive director. Approval to change reporting options received on or after 29 business days prior to the election will **only be approved** under the following circumstances:

- Commission staff failed to notify candidates of the ability to change options at least 40 business days prior to the election;
- A write-in opponent has filed for office within 30 business days of the election;
- An independent expenditure is made in support of the applicant's opponent or in opposition to the applicant within 30 business days of the election;
- A candidate's opponent has been approved to change reporting options; or
- A political committee on one side of an election campaign or proposition has opposition who received approval to change reporting options.

**From full reporting to mini reporting.** If a candidate wishes to change from full to mini reporting, no prior PDC approval is necessary. Simply amend the candidate registration statement (PDC form C-1) indicating the new option.

## Requests for Reporting Modifications

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The Public Disclosure Commission may suspend or modify the reporting requirements of persons subject to the disclosure law if the members decide that the law works a "manifestly unreasonable hardship" on the filer and the modification "will not frustrate the purposes" of the law. If you believe your circumstances meet these two statutory tests and you can provide convincing arguments to that effect, you have the option of requesting the Commission to grant a reporting modification.

To apply for a modification, write the Commission a letter stating all the reasons why reporting the required information would cause a hardship, why the purposes of disclosure would not be frustrated, and suggest a modification that would relieve the hardship. Apply for the modification early so that your record keeping system can be organized without delay to comply with the Commission's decision.

A hearing will be scheduled to consider your request. It's best if you attend the hearing, but your presence is not required. A modification may only be granted for one year or the duration of one campaign. Another application must be made in following years if you still need the modification.

## PDC Inquiries and Audits

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PDC staff may contact your campaign advising you that a report is missing or incomplete, asking for clarification of a report or requesting more information. Please cooperate with these informal contacts and supply the requested information promptly.

Random audits of some campaigns may occur after each election. Some of these are in-depth and you will be asked to make available all your records, including receipts and other documentation. These audits are routine and we suggest you approach them matter of factly.

Audits also are conducted for cause because a complaint has been received or there is reason to believe disclosure reports are not accurate. If you are the subject of such an audit, be assured you will have every opportunity to explain your position.

## Prohibitions and Restrictions

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State and federal law impose certain prohibitions and restrictions on candidates and political committees. Carefully study -- and adhere to -- the information provided below.

### **Concealment** [RCW 42.17.120]

You must accurately record and report the actual sources and amounts of contributions received as well as the true recipients and amounts of expenditures. It is a violation of the law to use a fictitious name, no name or substitute name in order to conceal the truth.

### **Persons Prohibited from Making Contributions**

None of the prohibitions noted in this prohibited contributions section is administered by the Public Disclosure Commission. If you have questions about whether one or more of the prohibitions apply to contributions you have received, consult your legal counsel or contact the agency involved.

Foreign Nationals: Federal election law prohibits all candidates and political committees in this country from receiving contributions from foreign nationals (individuals, corporations, associations or other foreign business entities.)

However, individuals having "green cards" may contribute to elections in the United States. And, individuals, whether or not they have green cards, may generally volunteer their personal services to campaigns so long as they are not being paid by anyone for the volunteer work they do.

Contact the Federal Election Commission (FEC) for more information on this issue (800/424-9530).

Federal Banks and Other Corporations: Federally chartered banks, corporations, unions, insurance companies and federal contractors should consult their legal advisors to determine whether other state or federal statutes prohibit their making contributions.

Judicial Officials and Candidates: The Code of Judicial Conduct restricts the activity of both judges and candidates for judicial office. The Commission on Judicial Conduct is charged with investigating alleged violations of the Code, and can be contacted at PO Box 1817, Olympia, WA 98507-1817 or (360) 753-4585. The Commission on Judicial Conduct cannot provide advisory opinions. These opinions are available from the Ethics Advisory Committee of the Office of the Administrator of the Courts at PO Box 41174, Olympia, WA 98504-1174.

### **Contributing to Others** [RCW 42.17.095(8)]

No candidate or candidate's authorized committee is allowed to transfer campaign funds (or items or services purchased with campaign funds) to any other candidate or political committee, unless a candidate is legally transferring surplus funds to a bona fide political party or a caucus political committee.

However, one candidate may reimburse another candidate or committee for his or her share of a documented and properly reported joint fund raising campaign expense. A candidate's campaign may also buy campaign-related goods and services from another candidate or political committee so long as the campaign pays the fair market value.

## **Personal Use of Contributions [RCW 42.17.125]**

Any expenditure of a candidate's campaign funds that is not directly related to the candidate's election campaign is a prohibited personal use of campaign funds. This means that campaign contributions may not be used to defray non-reimbursed public office related expenses, charitable donations, club memberships, newspaper subscriptions, constituent gifts and entertainment as well as other miscellaneous expenses that are not directly related to a candidate's campaign. (Public officials may establish a "Surplus Funds Account" to pay for non-reimbursed public office related expenses. See Surplus Funds Accounts on page 35.)

According to statute, campaign contributions may only be spent for the personal use of the candidate, the treasurer or other person associated with the campaign under the following circumstances:

- reimbursements to cover earnings lost as a result of campaigning, including reimbursements for loans taken out to cover lost earnings;
- reimbursements for services performed for the campaign;
- reimbursements for direct out-of-pocket campaign or post-election campaign expenses; and
- repayment of loans made by a person to the campaign. Repayment of loans made by the candidate to his or her campaign is subject to limit.

Complete documentation of these types of payments must be kept. Documentation of lost-earnings payments would include copies of pay stubs reflecting what the person would have been paid had he or she been working at his or her regular job.

Documentation of out-of-pocket expenses is either a detailed list of the date, vendor, purpose and amount of each expense, with actual receipts kept by the committee, or submission of copies of the receipts. No reimbursement of out-of-pocket expenses may be made to a person without a receipt being provided to the campaign.

## **Transmitting Contributions (Bundling) [RCW 42.17.730]**

Only an individual is permitted to collect contributions from others and transmit them to the intended recipient. Political committees, businesses, unions, and organizations -- or people representing them -- are prohibited from collecting contributions from various sources (commonly known as bundling) and delivering or transmitting those bundled contributions to a candidate or political committee.

With respect to the legal bundling undertaken by individuals, unless the collected contributions are from the individual's employer, immediate family or an association to which the individual belongs, when delivering the contributions to the candidate's campaign, the individual must supply the following information:

**The individual's full name, street address, occupation, name of employer or, if self-employed, place of business and the same information for each person or entity for which a contribution is being transmitted.**

## **Reimbursement of Contributions [RCW 42.17.780]**

No one may directly or indirectly reimburse another person or entity for a contribution to a candidate, political committee or political party.

## **Use of Contributions for Different Office [RCW 42.17.790]**

Changing Office Sought: A candidate who solicits contributions for one office may not use those contributions to seek a different office without first obtaining written approval of the persons or entities who donated the contributions. In other words, if a candidate decides to run for county executive after registering and collecting money for a county council race, the candidate may not transfer any contributions to the county executive campaign without first getting written approval from the contributors of the monetary contributions remaining in the county council campaign account and from contributors of the in-kind contributions still being used by the campaign (e.g., donated computers, copiers, etc.).

This is true whether a candidate registers for one office and then decides before the election to seek a different office, or whether the candidate wants to use funds left over after an election to seek a different office in a subsequent election.

Surplus Funds: A candidate who wants to use surplus contributions from a previous campaign to seek an office different from the one for which the donations were collected also must obtain written approval to do so from the contributors of the donations that are left. This is true whether 1) the contributions were in-kind [e.g., donated equipment that is left over from the previous campaign], 2) the surplus monies remain in a bank account from the earlier campaign, or 3) the surplus was transferred into a Surplus Funds Account.

The contribution of any contributor who does not provide written approval to use a monetary or in-kind donation to seek a different office may not be used for that purpose and must be disposed of under the options set out in RCW 42.17.095 for disposing of surplus funds.

## **Disposing of Surplus Campaign Funds [RCW 42.17.095]**

Surplus campaign funds -- the balance of contributions given with respect to an election that remain after all outstanding obligations for that election are paid -- may only be disposed of in one or more of the following ways:

- 1) returned to contributors [so long as the amount returned to a donor does not exceed the aggregate contributed];
- 2) transferred without limit to a political party or caucus political committee;
- 3) held for use in a future campaign for election to the same office last sought (or a different office, if written approval from the contributors of the remaining funds is obtained);
- 4) transferred to the candidate's personal account as payment for earnings lost as a result of campaigning, so long as the lost earnings can be documented, the payment does not exceed what the candidate would have otherwise earned, and all payments are properly recorded and reported;
- 5) donated to a charitable organization registered with the Secretary of State in accordance with RCW 19.09;
- 6) transmitted to the state treasurer for deposit in the general fund, the oral history, state library, and archives account under RCW 43.07.380, or the legislative international trade account under RCW 44.04.270, as specified by the candidate or political committee; or
- 7) deposited into a separate Surplus Funds Account and used to pay non-reimbursed public office related expenses and for any of the six purposes discussed above. See page 35 for more information on Surplus Funds Accounts.

## **Ending a Campaign Before the Election is Held**

Occasionally, a candidate will register a campaign with the Public Disclosure Commission, accept contributions, and decide to end the campaign before the election is held. Follow these steps to dispose of remaining campaign funds when the campaign ends prematurely:

- Determine what contributions remain in the campaign account using the “first in, first out” method (i.e., starting with the most recent contributions received, determine which contributions remain unspent in the campaign account).
- Contributions can be
  - returned to the contributor when the campaign ends or
  - held in the campaign account until after the election is held, at which time they become surplus funds. Authorized uses of surplus funds can be found on page 9.
- A candidate who is subject to contribution limits and who ends the campaign before the primary election must immediately return any contributions that were received by the campaign and attributed to the general election.

A candidate who prematurely ends a campaign in order to start a campaign for a different office may not automatically transfer remaining campaign funds to the new campaign. See “Use of Contributions for a Different Office” on page 9.

### **Use of Public Facilities [RCW 42.17.130]**

Elected and appointed officials as well as other public employees are prohibited from using or authorizing the use of any facilities of a public office or agency, directly or indirectly, to assist a candidate's election campaign or to promote or oppose a ballot proposition. Public agency facilities include, but are not limited to, office stationery, postage, machines, equipment, employees during working hours, vehicles, office space, office publications and client lists.

The above restriction does not apply to:

- action taken at an open public meeting by members of an elected legislative body or an elected board, council, or commission of a special purpose district to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as any required notice of the meeting includes the title and number of the ballot proposition, and members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;
- a statement by an elected official in support of or in opposition to any ballot proposition at any open press conference or in response to a specific inquiry; and
- activities that are part of the normal and regular conduct of the office or agency. "Normal and regular" has been interpreted to mean those activities that are authorized by law and are customary for the agency.

### **Anonymous Contributions [RCW 42.17.060(4)]**

Occasionally, campaigns receive funds from truly anonymous sources; that is, no one involved in the campaign knows who donated the money. Up to a point, the law allows campaigns to keep these anonymous contributions.

Specifically, candidates may receive as much as \$300 or one percent of the total contributions received in a calendar year, whichever is greater. (The one percent won't come into play until the campaign receives over \$30,000 in contributions during a calendar year.)

If the maximum is reached, the campaign may not use or spend any additional anonymous funds received. These excess dollars must be returned to the donors if they can be identified or forfeited to the state's general fund.

If the contributors cannot be identified, immediately send a check to PDC payable to the State Treasurer in the amount of the overage, along with an explanation of the circumstances surrounding receipt of excess anonymous funds.

Campaigns may not legally use the anonymous contribution provision to avoid identifying contributors whose identities are known. Only contributors who either give a total of \$25 or less in the aggregate or who give in conjunction with a low-cost fundraiser need not be identified on contribution reports. Low-cost fundraisers are discussed on page 29.

### **Contributions From Out-of-State & Federal PACs** [RCW 42.17.093]

An out-of-state political committee not registered with PDC (that is, PACs in other states organized for the purpose of supporting or opposing candidates or ballot propositions) must file a C-5 report no later than the 20<sup>th</sup> day of the month following any month in which a contribution or other expenditure of more than \$50 is made to or on behalf of a Washington state candidate or political committee. After filing an initial C-5 report, subsequent reports during the same calendar year shall be filed updating or amending the information previously reported.

### **Expenditure Restriction** [RCW 42.17.070]

According to state law, no expenditure may legally be made unless it's authorized by the candidate or campaign treasurer. Campaign treasurers are also required to maintain a complete record of all expenditures, including obligations that have not yet been paid by the campaign.

If the campaign makes expenditures of over \$50 in cash, rather than by check, a receipt signed by the vendor and the treasurer or candidate must be obtained and kept as part of the records.

### **Monetary Contributions** [RCW 42.17.740]

All monetary contributions received from PACs, political parties and caucus political committees must be by written instrument (e.g., check, money order, cashiers check). Those from individuals, associations, unions or businesses must be by written instrument if the contribution is over \$70. **Cash contributions must be deposited into the campaign bank account, and not spent directly or mingled with petty cash.** All monetary contributions, including those in cash, are required to be deposited into the campaign account within five business days of receipt.

### **Soliciting Government Employees** [RCW 42.17.750]

State and local elected officials (and their agents) may not knowingly solicit, directly or indirectly, a contribution to a candidate, political party or other political committee from an employee in the official's agency.

In March of 1996, the Commission discussed the issue of "knowingly solicit" and determined that an official who obtains a general, broadly-based mailing list from a vendor (including lists purchased at fair market value from other candidates or committees) need not scrutinize that list for the names of employees in the official's agency prior to using it to solicit campaign contributions. For example, if an official obtains from the county elections office a list of persons who have consistently voted in local elections, the official could use this list to solicit contributions without being in violation of the law.

However, if a list were not broadly-based (for instance, it originally came from a city employee union), the official would be in jeopardy of violating the law if he or she uses the list to solicit contributions and it contains the names of persons who are employed by the official's agency. Similarly, if an official uses a list of contributors from his or her last campaign to solicit funds and is aware that this list includes names of current agency employees, those names known to the official must be removed.

### **Charging for Endorsement or Media Coverage** [RCW 42.17.770]

No person may solicit a candidate, political committee, political party or other person for money in exchange for an endorsement or an article in the news media supporting or opposing a candidate, committee or party.



## Public Inspection of Campaign Records

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During the eight days preceding a primary, general or special election, the campaign's books of account showing all contributions received, expenditures made and outstanding debts must be current within one business day. Further, they must be open for public inspection by anyone who wants to see them. These books must be available for inspection on weekdays beginning on the eighth day before the election (excluding legal holidays) by appointment between 8 a.m. and 8 p.m. at the location designated by the campaign on the registration statement (C-1). An appointment must be allowed within twenty-four hours of the request.

If a candidate has selected Mini reporting and opted to use his or her personal checking account for campaign activity, then he or she has to make the check register and other records of the personal account available for public inspection.

The separate list of contributors giving \$25 or less does not need to be included with the records open for public inspection.

However, all other "books of account" of the campaign must be current within one business day and be made available for public inspection. The campaign books include its checkbook register and any ledgers, journals or lists identifying contributors (and the date and amount each has given) as well as books showing any outstanding debts (including loans and orders placed but not yet paid). If these types of books are not kept, the campaign is expected to make available the documents that are customarily used to create these books of account; that is, the receipts, invoices, copies of contribution checks, notes or documents regarding orders placed or loans, etc.

If the campaign books are kept on computer, any person wanting to see the books must be given sufficient instruction to enable him or her to examine these books. The campaign is not required to make copies of its books, whether the books are kept on paper or in electronic form.

## Bank Accounts

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At the start of the campaign, the candidate or treasurer needs to open the bank account. Use the same name for your campaign account as you use for the candidate's committee.

Campaign accounts may be established in a bank, mutual savings bank, savings and loan association or credit union doing business in Washington State.

Candidates seeking offices that have one-county jurisdictions may only maintain one campaign checking account. Although candidates conducting campaigns in more than one county may establish a bank account in each county, it's not recommended that you do this because of the problems inherent in tracking and combining the activity of multiple accounts for the campaign.

When opening the account, you'll be asked to supply a federal tax ID number. You can obtain by tax ID number by phone at 1-800-829-4933. Or, call 1-800-829-3676 and request Form SS-4. It will take about two weeks for the form to arrive. Once it does, you'll be able to obtain a number by faxing the completed form to (859) 669-5760. If you include a return fax number, the IRS will fax you your identification number within five business days [according to the recorded message obtained when calling the IRS at (801) 620-7645.]

The bank will report any interest earned on the campaign account to the IRS using the tax number you provide. Consult the IRS, your accountant or tax advisor regarding any tax liability or requirement to file a tax return. PDC may not give tax-related advice or information.

## Bank Deposits

**Each contribution received by the campaign must be deposited within five business days of receipt.** Practically speaking, that means each campaign can make a weekly deposit and be in compliance with the law. A high volume of contributions may make more frequent deposits advisable, however.

## Political Advertising

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*"Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign. [RCW 42.17.020(32)]*

This legal definition makes it clear that any communication -- whether written, audio or video -- that is produced and/or distributed in conjunction with your campaign is probably subject to the requirements governing political advertising.

All political advertising is subject to political party identification (if you are running for a partisan office) and most ads must show the sponsor ID. See below for details.

### Political Party Identification

All political ads supporting or opposing a candidate for partisan office are required to identify the candidate's party affiliation.

This rule applies whether the sponsor is a candidate, a candidate's committee, another political committee, an individual, or an organization or other type of entity, acting with the knowledge of, or independent of, the candidate. Abbreviations for many party names have been approved by the Commission and may be used in lieu of fully spelling out the party name. The abbreviations are:

- Citizens -- Cit
- Communist -- Com
- Democrat -- D, Dem, Demo
- Independent or Unaffiliated -- Ind, Indep
- Libertarian -- L, LP, LBT, LBTN
- Progressive -- P, PP, Prog
- Republican -- GOP, R, Repub, Rep (Do not use Rep abbreviation when it could erroneously imply that the candidate holds the office of State Representative)
- Socialist -- Soc
- Socialist Workers -- Soc Workers, SWP

Official symbols or logos adopted by state party committees may be used in place of the full party name or abbreviation to denote affiliation.

### Sponsor Identification

The sponsor of a political ad -- the candidate, committee or other person paying for the ad -- usually must be identified. If a person acts as an agent for someone else or is reimbursed by the committee for the funds actually used to pay for the ad, the original source of the payment (or the person doing the reimbursing) is the sponsor. It's illegal to use an assumed name when identifying an ad's sponsor.

However, if one or more persons purchase advertising supporting a candidate (or opposing that candidate's opponent) after consulting with or receiving the approval of the candidate, the candidate's campaign or agent, then the advertising is an in-kind contribution to the campaign (that must be reported by the candidate on Schedule B to the C-4) and the ad may show the sponsor as being either 1) the person or persons who purchased the ad or 2) the candidate or his/her campaign.

Some items are considered too impractical to show the sponsor ID. A list of those items is provided on page 15.

In print ads (newspaper display ads, flyers, brochures, letters, etc.) and ads distributed electronically via computer, to identify the sponsor use the words "Paid for by" or "Sponsored by" followed by the name and full postal mailing address (through zip code) of the sponsor(s). Treasurer's name is not required. Identification on an envelope used only for mailing purposes is optional, but is not sufficient to meet the sponsor ID requirement. The advertising enclosed in the envelope must be properly identified.

In broadcast ads (radio and television ads), identify the sponsor by using the words "Paid for by" or "Sponsored by" followed by the name of the person or group paying for the ad. No address is required. Both the sponsor and party ID must be clearly spoken.

**If the sponsor is:**

a **candidate**, show the name and address of the candidate or the candidate's committee (No address if broadcast ad);

a **political committee**,\* show the name and address of the committee (No address if broadcast ad; treasurer's name is not required);

an **organization or business**,\* show the name and address of the organization or business (No address if broadcast ad; treasurer's name is not required);

**more than one person or group**,\* show the name and address of each sponsor. (No address if broadcast ad.) If one person pays for printing and another person pays for mailing, list both as sponsors.

If a person contributes cash, goods or services to the campaign in order to assist in paying for an ad, it is not necessary to show this contributor's name as a sponsor, provided the contribution is properly reported. The candidate or the candidate's committee must be identified as the sponsor, however.

**[\*Note: Advertising that qualifies as an "independent expenditure" is subject to different sponsor ID requirements, unless the sponsor is a political party. See Independent Expenditures & Electioneering Communications on page 16.]**

Effect of US Supreme Court Decision in McIntyre v. Ohio Elections Commission. In June of 1995, the Commission found that there is a narrow set of circumstances under which it will not enforce the sponsor identification section of the law, RCW 42.17.510(1). As such, the sponsor's name and address may be left off of a political ad that meets ALL of the following criteria:

- The sponsor is an individual acting on his or her own behalf and independently of any candidate or authorized committee, political committee, bona fide political party or party organization, caucus political committee or any corporation, union, business, association, or other organization or entity.
- The sponsor personally produces and distributes the ad (or pays for it to be produced or distributed from personal funds) and he or she receives no donations, contributions or other payments from others for the production and distribution of the ad;
- The ad supports or opposes a state-wide or local ballot proposition (not a candidate);
- The ad costs less than \$100 total to produce and distribute; and
- The ad is in writing (e.g., letter, flyer, etc.) but does not appear in a newspaper or other publication and is not communicated electronically.

**ID Size and Placement**

On written or printed political advertising, the sponsor's name and address and the candidate's party affiliation (if the candidate is seeking partisan office) must:

- appear on the first page of the communication in at least 10 point type; or
- for ads such as billboards or posters, appear in type at least 10% of the largest size type used in the ad; and

- not be screened or half-toned (i.e., not made lighter through some printing or photographic process); and
- be set apart from any other printed text in the ad.

### Items Exempt From Sponsor ID

Some advertising items, like yard signs that are 8'x 4' or smaller (32 sq. feet), need not include the sponsor identification. Other items exempt from sponsor ID are:

ashtrays	magnifying glasses
badges & badge holders	matchbooks
balloons	nail clippers & files
bingo chips	newspaper ads (one column inch or smaller)
brushes	noisemakers
bumper stickers (4" x 15" or smaller)	official state or local voter pamphlets
business cards	paper & plastic cups and plates
buttons	paper weights
cigarette lighters	pencils
clothes pins	pens
clothing	plastic tableware
coasters	pocket protectors
combs	pot holders
cups	reader boards with moveable letters
earrings	ribbons
emery boards	rulers (12" or smaller)
envelopes	shoe horns
erasers	skywriting
frisbees	staple removers
glasses	stickers (2-3/4" or 1" or smaller)
golf balls & tees	sun glasses
hand-held signs	sun visors
hats	swizzle sticks
horns	tickets to fund raisers
ice scrapers	water towers
inscriptions	whistles
key rings	yard signs (8' x 4' or smaller)
knives	yo-yos
labels	all similar items
letter openers	

### Content of Advertising

There are some additional rules to follow when composing political advertising:

- Be sure the ad correctly identifies the sponsor and is truthful;
- If candidate photos are used in any ad, at least one of them must have been taken within the last five years and be no smaller than the largest candidate photo appearing in the ad;
- **"Incumbent"** means a person who now holds an elected office;
- **"Re-elect"** represents that the candidate is presently holding the office being sought, was elected to it and is seeking another term in that same office.

- The term "re-elect" may be used in a political ad by a non-incumbent who has previously been elected to the office being sought provided that it is clearly stated in the same ad that the candidate is not the incumbent;
- **"Retain"** represents that the candidate is the incumbent, but does not imply that the candidate obtained the position by election;
- **"Return"** represents that the candidate now holds, or has previously held, the office being sought but not necessarily by election.

**State law does not require candidates to identify the office or position they are seeking in their advertising.**

## **Violations**

It is a violation of the political advertising provisions of the statute to knowingly or with reckless disregard of the truth:

- falsely claim or imply a person or group endorses a candidate when that person or group does not; or
- falsely represent a candidate as the incumbent. On letterhead, yard signs and other forms of advertising, non-incumbents must actually state they're seeking the office. For example: Mary Smith for State Senate or Elect Mary Smith State Senator. It is not permissible merely to say "Mary Smith, State Senate," unless Mary Smith is the incumbent.

It's also illegal to distribute campaign material that is deceptively similar in design or appearance to the voters' and candidates' pamphlets published by the Secretary of State. And, it is illegal to use the state seal or its likeness to assist or defeat any candidate for elective office.

### **Check List:**

When developing and proofreading political ads, be sure they are:

- properly identified with sponsor ID and, if necessary, political party;
- in compliance with the definitions of "incumbent," "re-elect," "retain," and "return;"
- accurate with respect to claimed or implied endorsements;
- not representing the candidate as the incumbent unless he or she is; and
- not deceptively similar to official voters and candidates pamphlets.

## **Independent Expenditures & Electioneering Communications**

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Independent expenditures are not a type of expenditure that candidates or their authorized committees make. Nevertheless, some information about them is being provided here in the event candidates wish to avoid missteps that will compromise the ability of others -- be they individuals, unions, businesses, PACs, parties or caucus political committees -- to make independent expenditures.

Independent expenditures are important because they are a constitutionally protected form of speech and may not be subject to limit, unlike contributions. Therefore, as long as an expenditure does not constitute a "contribution," the person making it is free to spend as much or as little as he or she likes.

**Definition of Independent Expenditure.** For most applications in the disclosure law, independent expenditures are defined to be an expenditure for political advertising that:

- costs at least \$700 (either alone or in conjunction with other ads by the same sponsor benefiting the same candidate);

- supports or opposes a clearly identified candidate for state or local office;
- is paid for by someone other than a candidate, a candidate's committee or agent; and
- is paid for by some individual or entity who undertakes the advertising without having received the benefiting candidate's encouragement or approval or without collaborating with this candidate or the candidate's agent.

Be aware that if an expenditure meets the legal definition of "contribution," it is subject to limit and it is not considered an independent expenditure. The definition of "contribution" is found in RCW 42.17.020 and WAC 390-05-210. For this discussion of independent expenditures, it is particularly important to keep in mind that a contribution includes:

- an expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, the candidate's authorized committee or their agents; or
- paying to disseminate, distribute, or republish -- partially or completely -- a political ad prepared by a candidate, the candidate's authorized committee or other agent, regardless of whether the ad is written, broadcast or in some other form.

**In summary, if a candidate wants to avoid compromising someone's ability to make independent expenditures, NEITHER THE CANDIDATE, THE CANDIDATE'S COMMITTEE, NOR AN AGENT OF THE CANDIDATE MAY:**

- Give the person encouragement, approval or direction regarding an expenditure supporting the candidate or opposing the candidate's opponent;
- Collaborate or coordinate with the person regarding an expenditure that supports the candidate or opposes the candidate's opponent; or
- Provide the person with information about the candidate's plans, projects or needs prior to an expenditure supporting the candidate or opposing the candidate's opponent being made.

[For more information, see RCW 42.17.020(24), RCW 42.17.020(14), WAC 390-16-313 and WAC 390-05-210.]

**Definition of Electioneering Communication.** Advertising must have all of the following four characteristics in order to qualify as an electioneering communication:

- The communication clearly identifies at least one candidate for state, local, or judicial office;
- appears within 60 days of an election in the candidate's jurisdiction;
- in one or more of the following media – radio, television, postal mailing, billboard, newspaper, or periodical; and
- either alone, or in combination with other communications by the sponsor identifying the candidate, has a fair market value of \$5,000 or more.

**Sponsor ID.** All political advertising undertaken as an independent expenditure or an electioneering communication by any person or entity other than a party organization must include the following statement on the advertising:

"NOTICE TO VOTERS (Required by law): This advertisement is not authorized or approved by any candidate. It is paid for by (name, address, city, state.)"

In addition, if the ad is sponsored by a caucus political committee, a PAC or other political committee (except a party organization), the following must also appear: "Top Five Contributors" followed by a list of the names of the five persons or entities making the largest contributions in excess of \$700 to the committee during the 12 months before the ad runs.

If a political committee keeps records tracking contributions according to the use intended by contributors, and subsequently makes independent expenditures supporting or opposing a candidate, that committee may identify the top five contributors giving for that purpose.

Both the "Notice to Voters" and "Top Five Contributors" messages must also comply with the ID size and placement standards discussed above.

For radio ads, the following statement must be clearly spoken, or for television ads, appear in print and be visible for at least four seconds, appear in letters greater than 4% of the visual screen height, and have a reasonable color contrast with the background: *"No candidate authorized this ad. Paid for by (name, city, state)."* In addition, top five contributor information, as discussed above, is necessary if the ad is sponsored by a political committee required to file with the Public Disclosure Commission.

If independent expenditure advertising is in the form of yard signs, bumper stickers, skywriting or other items exempt from sponsor ID, these ads are also exempt from the Notice to Voters and Top Five Contributors requirements.

**Reporting.** Independent expenditures (IEs) made by PACs, political parties and caucus political committees are reported by these spenders as part of their regular, periodic C-4 reports. All of these political committees are required to answer a question on their C-4 forms regarding whether or not the report being filed includes any IEs. Expenditures made for electioneering communications by PACs, political parties, and caucus political committees are also reported on the C-4 report. If an advertising expense qualifies both as an independent expenditure and an electioneering communication, it must be reported as an electioneering communication. Please read the following "C-6 Reports" section to determine when additional reporting is required for sponsors of independent expenditures and electioneering communication.

**C-6 Reports:** Individuals, unions, businesses, associations and other entities who do not report to the Public Disclosure Commission and who make independent expenditures of \$100 or more supporting or opposing a candidate must file a C-6 report with PDC and the county elections official of the county where the candidate supported or opposed lives. The first report is due within 5 days of when the expense is made. If subsequent IEs are made, additional reports are required on the same dates that C-4 forms are filed. Independent expenditures of \$100 or more supporting or opposing a ballot measure are also reported on form C-6 (unless the spender is a political committee that reports the expense as part of their C-4 or C-5 report).

Persons sponsoring independent expenditure political ads valued at \$1,000 or more that are mailed or presented to the public within twenty-one days of a primary, general or special election are also required to file a C-6 report with the PDC. The C-6 report must be delivered to the PDC within 24 hours of, or on the first working day after, the date the advertisement was first published, mailed, or otherwise presented to the public. Additional independent expenditures of any amount following the expenditure listed on the initial filing must be reported within 24 hours. A political committee who sponsors independent expenditure ads reports the expenditures on a C-6 form as well as a C-4 or C-5 report.

Any individual, business, union, organization or other person, including PACs and parties, that sponsors an electioneering communication must electronically file the C-6 report within 24 hours of, or the first working day after, the communication was first broadcast, mailed, erected, or published. A political committee who makes expenditures for electioneering communications reports the expenditures on a C-6 form as well as a C-4 or C-5 report.

**L-2 Reports:** If a lobbyist or lobbyist employer sponsors political advertising supporting or opposing a candidate or ballot measure, whether the ad constitutes a contribution, independent expenditure, or electioneering communication, the amount paid for the advertising must be reported by the lobbyist on his or her monthly L-2 lobbying report. This L-2 reporting is in addition to the required C-6 filing.

**C-7 Reports:** Any business, union, association, organization or other entity -- except a lobbyist employer that files an L-3 report or a political committee that files C-4 reports -- making independent expenditures during a calendar year that total over \$700 supporting or opposing state office candidates or statewide ballot measures must file a C-7 (Special Political Expenditures Report). The report is due by the last day of February of the year following the one in which the expenditures were incurred and is in addition to the C-6 filing requirements.

**Mailings.** Unless the mailing is sponsored by a PAC, party or caucus committee, any person or entity that during one calendar year mails 1,000 identical or nearly identical pieces of advertising supporting or opposing a candidate or ballot measure as an independent expenditure must provide the appropriate county auditor with a copy of the ad and written notice of the number of pieces mailed within two working days of the mailing. If the ad supports or opposes a candidate, the information is filed with elections officials in the county where the candidate lives. Sponsors of mailings supporting or opposing a ballot measure must file the required information with elections officials of their own county of residence, or if sponsors live out-of-state, they file with Thurston County for statewide measures, or with the county or counties where a local ballot measure will appear on the ballot.



## Part 2. Filing Campaign Reports

### Register as a Candidate on a C-1

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Candidates who run for public office in jurisdictions that had 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county are subject to campaign disclosure and must register with PDC on Form C-1 (unless they satisfy one of the exemptions found on page 3).

**This registration must be filed within two weeks of becoming a candidate.** A person becomes a candidate for disclosure purposes when he or she first does any one of the following:

- receives contributions;
- makes campaign-related expenditures;
- reserves space or purchases advertising to promote his or her candidacy;
- authorizes someone else to do any of these activities on his or her behalf;
- states publicly that he or she is seeking office (even if the candidacy is conditioned on some future occurrence, like receiving endorsements or raising a certain amount of money); or
- files for office.

It's very common for persons to become candidates for purposes of the Public Disclosure Law well before they officially file for office in July.

Amended C-1 forms must be filed within ten days of any changes that make the previously filed C-1 outdated. Incumbents are to file a new C-1 when they begin a new campaign by raising money (for purposes other than paying off old campaign debts), making expenditures for the upcoming election, reserving space or purchasing advertising to promote their candidacy, authorizing another to do one of these activities for them, publicly announcing their intention to run, or filing for office, whichever occurs first.

**After making copies of the C-1 for your files and the County Auditor** (Elections Department) of the county in which the candidate lives (and, if necessary, the city clerk), send the signed C-1 to PDC. C-1 forms, like other standard PDC reports, are considered filed as of the postmark date or date hand-delivered to PDC.

### Filling Out the C-1 Form

**Paper filers, please type or print clearly using black ink. (The reports are scanned into a document imaging system, and black reproduces clearly.)**

State the candidate's first name, middle initial, and last name (as it will appear on the ballot). For example, John A. "Jack" Jones or Margaret C. "Maggie" Smith.

Identify the candidate's committee name (e.g., Jones for City Council). See example on page 21.

Give the telephone and facsimile numbers of the campaign's headquarters. This will be the contact numbers used by the press and others to reach the campaign spokesperson. **Do NOT give the telephone or fax numbers of a government office.**

<u>Item No.</u>	<u>Description</u>
1	Show the office being sought, the district, county or city, the position number and indicate whether the candidate currently holds the office being sought.
2	If you're seeking a partisan office, specify your political party.
3	Give the date of the relevant general or special election.
4	Choose a reporting option after carefully noting the limitations that apply to mini reporting. It is best not to choose mini reporting unless the candidate expects to stay within the respective monetary limits during the entire campaign. <b>If no option is designated candidates are expected to comply with the full reporting requirement.</b>
5	Identify the campaign's treasurer, the person who will be responsible for receiving contributions, making expenditures and keeping accurate, detailed records. A candidate may be his or her own treasurer. (Candidates are ultimately responsible for the accuracy of their records and reports.) Include the treasurer's daytime telephone number. Do NOT reference the telephone of a government office.
6	List the name, address and title of your campaign officers (e.g., chairperson, vice-chair, manager, coordinator and other key people in the organization). By definition in rule, "officer" includes anyone designated by the campaign as an officer and any person who alone or in conjunction with other persons makes contribution, expenditure, strategic or policy decisions on behalf of the campaign.
7	Name the financial institution where your campaign account is kept, along with the branch office location and city.
8	If the candidate is affiliated with any joint fund raising committee or a committee organized to support a slate of candidates, give the name and address of the committee(s) and explain the relationship.
9	During the eight days before each primary, general or special election in which the candidate is on the ballot or running as a write-in candidate, campaign books of account must be open for public inspection by appointment. Supply the street address and city for where your records may be examined and provide contact information for arranging appointments. Appointments must be granted within 24 hours.
10	The registration is not considered filed unless signed by the candidate.

## PUBLIC DISCLOSURE COMMISSION



711 CAPITOL WAY RM 206  
PO BOX 40908  
OLYMPIA WA 98504-0908  
(360) 753-1111  
Toll Free 1-877-601-2828

# Candidate Registration

**C1**  
(2/05--)

Candidate's Name (Give candidate's full name.) <b>John A. "Jack" Jones, Jr.</b>			Telephone Numbers (509) 555-1313
Candidate's Committee Name (Do not abbreviate.) <b>Jones for City Council</b>			( )
Mailing Address 123 Miller Way			Fax Number (509) 555-1314
City Anyplace	County Grassland	Zip + 4 98000	E-Mail Address jonesj@aol.com
1. What office are you running for? City Council		Legislative District, County or City Anyplace	Position No. 2
		Do you now hold this office? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
2. Political party (if partisan office) Independent		3. Date of general or special election Nov 7, 200X	
4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. <b>If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports required and changing reporting options.</b>			
<input checked="" type="checkbox"/> <b>Option I MINI REPORTING:</b> In addition to my filing fee of \$_____, I will raise and spend no more than \$3,500, including any charges for inclusion in state and local voters pamphlets. .... I will not accept more than \$300 in the aggregate from any contributor except myself.			
<input type="checkbox"/> <b>Option II FULL REPORTING:</b> I will use the Full Reporting system. I will file the frequent, detailed campaign reports required by law.			
5. Treasurer's Name and Address. Candidate may be treasurer. List deputy treasurers on attached sheet. <input type="checkbox"/> Continued on attached sheet Michael Kennedy 123 Miller Way, Anyplace, WA 98000			Daytime Telephone Number (509) 555-1212
6. Committee Officers. List name, title and address. Continue on attached sheet if necessary. See reverse for definition of "officer."			<input type="checkbox"/> Continued on attached sheet
Carol Jean Jones, Manager		123 Miller Way, Anyplace, WA 98000	
George Anthony, Finance Chair		400 Main Street, Anyplace, WA 98000	
Karen Lynn, Volunteer Coord.		42 Second Avenue, Anyplace, WA 98000	
7. Campaign Bank or Depository Anyplace Savings and Loan		Branch Oak Creek Mall	City Anyplace
8. Related or Affiliated Political Committees. List name, address and relationship. People for Responsible Government, PO Box 85, Anyplace, WA 98000			Sharing Advertising <input type="checkbox"/> Continued on attached sheet
9. Campaign books must be open to the public, except on a weekend or legal holiday, during the eight days before the election: (a) on the eighth day for two consecutive hours between 8 a.m. and 8 p.m.; if the eighth day is a legal holiday – two consecutive hours on the seventh day between 8 a.m. and 8 p.m.; and (b) on the other weekdays, by appointment between 8 a.m. and 8 p.m. Specify location and hours below. It is not acceptable to provide a post office box or an out-of-area address.			
Street Address, Room Number, City 123 Miller Way		Hours [Two consecutive hours; see 9(a)] by appointment	
In order to make an appointment, contact the campaign at (telephone, fax, e-mail): (509) 555-1212			
10. <b>CERTIFICATION:</b> I certify that this report is true, complete and correct to the best of my knowledge.			
Candidate's Signature		Date	

SEE INSTRUCTIONS ON REVERSE

## Register as a Political Committee on a C-1pc

Political committees must register with the PDC if 1) they support or oppose ballot measures in jurisdictions that had 1,000 or more registered voters as of the last general election or 2) they support or oppose candidates in jurisdictions that include an entire county or had 5,000 or more registered voters as of the last general election.

**Most political committees must register within two weeks of forming** a committee or expecting to receive or spend funds, whichever occurs first. **Committees that form within three weeks of an election** and expect to receive contributions and make expenditures with respect to that election **must register within three business days of organizing or when it first expects to receive contributions or make campaign expenditures.** Amended C-1pc reports are to be filed within ten days of changes that make the previously filed C-1pc outdated.

**Continuing political committees using mini reporting must also re-register annually** between January 1 and January 31 in order to keep their mini reporting status. Failure to re-register annually automatically makes the continuing committee subject to the full reporting provisions of the law.

**Send the original C-1pc to PDC. Provide a copy to the county elections office** of the county in which the committee headquarters is located or, if there is no headquarters, the county in which the treasurer resides. (See page 39 for a list of county election offices.) Keep a copy for your records. C-1pc forms, like other standard PDC reports, are considered filed as of the postmark date or the date hand-delivered to PDC.

### **Filling Out the C-1pc Form**

**Paper filers, please type or print clearly using black ink.**

Give the committee's complete, official name. Include any acronym in the space provided (for example, "HALT" for Homeowners Against Lofty Taxes). Give the committee's full mailing address. Indicate whether this is a new or amended registration and whether your group is a continuing committee or organized for a specific election only.

Provide the telephone, facsimile numbers and e-mail address of the committee.

Item No.

Description

1. Specify the committee's purpose.
2. Give the name, address and relationship to any other committee – including a candidate's – with which your committee is affiliated either structurally, philosophically or for joint fund raising purposes.
3. If you do not specify mini reporting, you're automatically subject to the full reporting requirements.
4. Identify the campaign manager's or media contact's name, address and daytime telephone number.
5. Identify the committee treasurer's name, address and daytime telephone number. This is the person who is ultimately responsible for receiving contributions, making expenditures, keeping accurate, detailed records and filing timely and complete reports.
6. List the name, address and title of the committee's chairperson, vice-chair, manager, coordinator and other key people. There is no legal provision specifying what officers your committee must have, other than a treasurer.

7. Name the financial institution where your campaign account is kept, along with the branch office location and city.
8. During the eight days before any election in which your committee is spending money, the committee records must be open for public inspection by appointment. Supply the street address and city for where your records may be examined and provide contact information for arranging appointments. Appointments must be granted within 24 hours.
9. Eligibility to give to state office candidates. Absence of a check mark means your committee does NOT qualify to give to legislative and executive statewide candidates.
10. Registrations are not considered filed unless signed by the committee treasurer.

# Political Committee Registration

**C1PC**  
6//01)

Committee Name (Show entire official name.)

Citizens for Education Reform

Acronym: CER

Telephone: (206) 666-3925

Mailing Address

707 Happy Lane

Fax: (206) 666-3926

City

Seattle

County

King

Zip + 4

99000-0000

E-mail:

reform@aol.com

NEW OR AMENDED REGISTRATION?

- ☒ NEW. Complete entire form.  
☐ AMENDS previous report. Complete entire form.

COMMITTEE STATUS

- ☐ Continuing (On-going; not established in anticipation of any particular campaign election.)  
☒ 200X election year only. Date of general or special election: 2/3/200X  
 (Year)

1. What is the purpose or description of the committee?

☐ **Bona Fide Political Party Committee** - official state or county central committee or legislative district committee. If you are not supporting the entire party ticket, attach a list or specify here the names of the candidates you support

☒ **Ballot Committee** - Initiative, Bond, Levy, Recall, etc. Name or description of ballot measure:

School levy

Ballot Number

OOX

FOR

T

AGAINST

☒

☐

☐ **Other Political Committee** - PAC, caucus committee, political club, etc. If committee is related or affiliated with a business, association, union or similar entity, specify name:

**For single election-year only committees (not continuing committees):** Is the committee supporting or opposing

(a) one or more candidates? ☐ Yes ☐ No If yes, attach a list of each candidate's name, office sought and political party affiliation.

(b) the entire ticket of a political party? ☐ Yes ☐ No If yes, identify the party:

2. Related or affiliated committees. List name, address and relationship.

None

☐ Continued on attached sheet

3. How much do you plan to spend during this entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. (If your committee status is continuing, estimate spending on a calendar year basis.)

If no box is checked you are obligated to use Full Reporting. See instruction manuals for information about reports required and changing reporting options.

☒ **MINI REPORTING**

Mini Reporting is selected. No more than \$3,500 will be raised or spent and no more than \$300 in the aggregate will be accepted from any one contributor.

☐ **FULL REPORTING**

Full Reporting is selected. The frequent, detailed campaign reports mandated by law will be filed as required.

4. Campaign Manager's or Media Contact's Name and Address

Jack Jones

509 State, Seattle, WA 99000

Telephone Number:

(206 ) 555-3712

5. Treasurer's Name and Address (List deputy treasurers on attached sheet.)

☐ Continued on attached sheet

Mary Johnson

509 State, Seattle, WA 99000

Daytime Telephone Number:

(206 ) 555-3712

6. Committee Officers. List name, title, and address. Continue on attached sheet if necessary. See reverse for definition of "officer."

☐ Continued on attached sheet

John Jones, Chairman

595 City Street, Seattle, WA 99000

7. Campaign Bank or Depository

Bank of England

Branch

Ballard

City

Seattle

8. Campaign books must be open to the public, except on a weekend or legal holiday, during the eight days before the election: (a) on the eighth day for two consecutive hours between 8 a.m. and 8 p.m.; if the eighth day is a legal holiday - two consecutive hours on the seventh day between 8 a.m. and 8 p.m.; and (b) on the other weekdays by appointment between 8 a.m. and 8 p.m.

Specify location and hours below. It is not acceptable to provide a post office box or an out-of-area address.

Street Address, Room Number, City

509 State, Seattle, WA 99000

Hours [Two consecutive hours; see 8(a)]

In order to make an appointment, contact the campaign at (telephone, fax, e-mail): (206 )555-3712

by appointment

9. **Eligibility to Give to State Office Candidates:** During the 180 days prior to making a contribution to a state office candidate, your committee must have received contributions of \$10 or more from at least ten persons registered to vote in Washington State.

- ☒ A check here indicates your awareness of and pledge to comply with this provision. Absence of a check mark means your committee does not qualify to give to state office candidates (legislative and statewide executive candidates).

10. **Signature and Certification.** I certify that this statement is true, complete and correct to the best of my knowledge.

Committee Treasurer's Signature

Date

## Monetary and In-Kind Contributions

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The law requires that all contributions to the candidate's campaign be reported. The information in this section will explain what a contribution is (and is not), discuss fund raising activities and also give details on contribution record keeping and reporting.

Beginning in 2006, all judicial candidates and some county office and port commissioner candidates will be subject to contribution limits. Candidates seeking election to a county office in King, Pierce, Snohomish, and Spokane Counties are subject to limits as well as Port of Tacoma and Port of Seattle commissioner candidates. These limits are explained in more detail on page 27. With the exception of these four counties and two port districts, there is no state imposed limit on how much a contributor may give a candidate for local office.

However, candidates seeking a City of Seattle office are subject to a local ordinance limiting contributions. Other jurisdictions may have imposed their own limits. Check with your county auditor, city clerk, or the city/county elections commission (whichever is applicable to the office you are seeking).

All candidates are subject to the "last minute" contribution limitations in place during the last 21 days before the general election discussed on page 4.

### Definition

The term "contribution" includes:

- a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or anything of value, including personal and professional services for less than full consideration;
- an expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political committee, or their agents; or
- the financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising prepared by a candidate, a political committee, or its authorized agent.

Dollars received from the sale of tickets to fund raising events such as dinners, concerts, parties and the like are contributions. The purchasers of the tickets are the contributors, even if the tickets are given to others. The record keeping associated with a fundraiser may be greatly reduced if the event qualifies as a low-cost fundraiser. See page 30 for further information.

The amount of contributions received from persons attending a fundraiser may be reduced for reporting purposes by the actual cost of consumables furnished in connection with the event, and only the excess over the actual cost of the consumables is a contribution. See the discussion on Deducting Cost of Consumables on page 36. (If you're holding a low-cost fund raiser where you simply lump together all funds received at the event and do not attribute the funds received to the persons attending, you would not also deduct the cost of consumables. See Qualifying Low-Cost Fund Raisers on page 29.)

Contributions, other than money, have a dollar value equivalent to the fair market value of the item. If services or items are provided to a campaign at less than their fair market value, reportable in-kind contributions have been received by the candidate.

### What is Not a Contribution

The following activities are NOT considered contributions and need not be recorded in your campaign records:

- Ordinary home hospitality, including coffee hours, cocktail parties, wine and cheese parties and similar gatherings where the purpose is to meet the candidate or organize a campaign and where no admission fee is charged or contributions expected from those attending;
- personal services of the sort commonly performed by volunteers so long as the volunteers are not compensated by anyone (see Volunteer Services below);
- incidental expenditures by volunteers of \$50 or less in the aggregate for the duration of the campaign (if this limit is exceeded, the entire amount is reported as an in-kind contribution and subsequent expenditures by the volunteer would be disclosed as contributions on future reports);
- a news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political committee;
- internal political communications from 1) a corporation or similar enterprise primarily to its officers, management staff and stockholders, 2) a union, association or other membership organization primarily to its members, or 3) a political party organization or political committee primarily to its contributors;
- messages on reader boards, banners, and yard or window signs displayed on a person's own property or property occupied by the person. However, if the person normally charges a fee to display a message, an in-kind contribution would occur if no comparable fee were charged for display of a political ad.

Everything else of value given the candidate or the candidate's committee for use in the election campaign -- including discounts on items purchased or services rendered -- is a contribution and must be recorded as such in your records.

## Contribution Limits

Contribution limits will go into effect on June 7, 2006 for all judicial candidates and some local candidates.

**Judicial candidates:** A candidate for any judicial office is prohibited from accepting aggregate contributions exceeding \$1,400 per election from any source.

**Local candidates:** County office and port commissioner candidates running for office in jurisdictions with more than 200,000 registered voters as of the most recent general election are subject to the contribution limits specified below. As of the 2005 General Election, only 4 counties and 2 port districts had more than 200,000 registered voters:

<u>Counties</u>	<u>Port Districts</u>
King	Port of Seattle
Pierce	Port of Tacoma
Spokane	
Snohomish	

**County office candidates:** Only county office candidates seeking election to county office in King, Pierce, Spokane, or Snohomish County are subject to contribution limits; candidates seeking election to county office in any one of Washington's other 35 counties in 2006 are not subject to contribution limits.

**Port commissioner candidates:** Only port commissioner candidates seeking election to the Port of Tacoma or Port of Seattle are subject to contribution limits.



Spokane,	To Port of Seattle or Tacoma Commissioner Candidates	To King, Pierce, or Snohomish County Office Candidates
Source of Contribution		
Individual	\$1,400 <sup>1</sup>	\$700 <sup>1</sup>
Union or Business	1,400 <sup>1</sup>	700 <sup>1</sup>
Political Action Committee	1,400 <sup>1</sup>	700 <sup>1</sup>
State Party Central Committee	.70/voter <sup>2</sup>	.70/voter <sup>2</sup>
County Party Central Committee	.35/voter <sup>3</sup>	.35/voter <sup>4</sup>
Legislative District Committee	.35/voter <sup>3</sup>	.35/voter <sup>4</sup>
Minor Party Committee	.70/voter <sup>5</sup>	.70/voter <sup>5</sup>
Caucus Political Committee	.70/voter <sup>5</sup>	.70/voter <sup>5</sup>

- 1 This is a per election limit; each primary, general and special election is considered a separate election. This limit does not apply to the candidate using personal funds to give to his or her own campaign. The limit does apply to the candidate's spouse.

**Donors giving to candidates subject to contribution limits may make primary election contributions up to 30 days after the date of the primary if the candidate loses in the primary and the candidate's authorized committee has insufficient funds to pay primary debts outstanding as of the date of the primary. General election contributions must be made no later than November 30 of the election year.**

During the 21 days before the general election, no candidate for local office may contribute to his or her own campaign more than \$5,000 in the aggregate, and no candidate for statewide office, including Supreme Court Justice, may contribute to his or her own campaign more than \$50,000 in the aggregate.

- 2 The limit amount of \$.70 times the number of registered voters in the jurisdiction is for the entire election cycle. The election cycle is from December 1 after the last election for the office or the start of the candidate's campaign -- whichever is later -- through November 30 of the election year in which election is sought. Contributions must be made no later than November 30 of the election year.
- 3 During the election cycle (defined in #2 above), all county central committees and legislative district committees in the state share a combined limit to each candidate of \$.35 times the number of registered voters statewide as of the last general election. (However, during the 21 days before the general election, neither a county central committee nor a legislative district committee may give a local office candidate more than \$5,000 in the aggregate.) Contributions must be made no later than November 30 of the election year.
- 4 County central and legislative district committees may only give to candidates running for office in their jurisdictions. During the election cycle (defined in #2 above), a legislative district committee, in conjunction with all county central committees in that district, share a combined per candidate limit of \$.35 times the number of registered voters in the legislative district as of the last general election. (However, during the 21 days before the general, neither a county central committee nor a legislative district committee may give a local office candidate more than \$5,000 in the aggregate.) Contributions must be made no later than November 30 of the election year.
- 5 The limit amount is for the entire election cycle. The election cycle is from December 1 after the last election for the office or the start of the candidate's campaign -- whichever is later -- through November 30 of the year in which election is sought. Contributions must be made no later than November 30 of the election year.

## Volunteer Services

As noted above in the definition of "contribution," personal services that are commonly performed by campaign volunteers are not considered contributions so long as the individual who performs one or more of these activities is not compensated by any person for the services rendered.

This means that volunteers (who are not paid by anyone for the volunteer tasks they perform) may do certain campaign work without the candidate having to report their services as in-kind contributions.

The Commission has defined "volunteer services" to include:

- Office staffing;
- Doorbelling or leaflet drops;
- Mail handling (folding, stuffing, sorting and postal preparation);
- Political or fundraising event staffing;
- Telephone bank activity (conducting voter identification, surveys or polling, and get-out-the-vote campaigns);
- Construction and placement of yard signs, hand-held signs or in-door signs;
- Chauffeuring for candidate or campaign staff;
- Scheduling of campaign appointments and events;
- Transporting voters to polling places on election day;
- The services of any individual, except an attorney or accountant\*, provided that the services donated are solely for the purpose of ensuring compliance with state election or public disclosure laws;
- Campaign consulting and management services, polling and survey design, public relations and advertising or fundraising performed by any individual, so long as the individual is not a professional in that field who ordinarily charges a fee or receives compensation for providing those services; and
- All similar activities as determined by the Commission.

[\*Note that an attorney or accountant may donate his or her professional services to a candidate in order to assist the candidate in complying with state election or PDC laws even if he or she is employed and is receiving payment from his or her employer for the services rendered to the candidate's campaign, or if the attorney or accountant is self-employed or performing the services without compensation during his or her own time.]

## Fund Raising Events

All the dollars raised in connection with a fund raising event must be deposited into the campaign account. However, the amount donated by each contributor attending the event may be reduced by the pro-rated cost of consumables provided.

Consumables include food, beverages, preparation or catering or entertainment furnished at the event. If you reduce contributions by the cost of consumables, the purchase of these consumables is not reported as an expenditure. The decreased contribution amount already accounts for obtaining these items. Unless there is a limit on how much a contributor may give a candidate, it usually is not worth the extra bookkeeping involved in deducting the costs of consumables. See page 36 for more information.

All in-kind contributions received in connection with a fund raising event are also considered contributions. In-kind contributions are recorded at their fair market value. The fair market value is the amount a well-informed buyer or lessee, willing but not obligated to buy or lease, would pay; and which a well-informed seller, or lessor, willing but not obligated to sell or lease, would accept. See pages 33 & 34 for more information on valuing in-kind contributions.

Unless the event is a "Qualifying Low-Cost Fund Raiser" as discussed below, the campaign must keep track

of how much each contributor donated and record the names and addresses of those who gave over \$25 at the fund raiser or whose cumulative total for the campaign is now over \$25, and also indicate the occupation and employer of any individual who has given \$100 or more in the aggregate.

Frequently, at fundraisers, candidates receive contributions from anonymous sources. Any anonymous funds received at a fundraiser count toward the limit placed on the amount of anonymous funds that may legally be received (\$300 per calendar year or 1% of the total contributions received during the calendar year, whichever is more). Funds received in connection with a "Qualifying Low-Cost Fund Raiser" are not considered anonymous, even though the sources are unidentified.

### **Qualifying Low-Cost Fund Raisers**

If a qualifying low-cost fund raiser is held, you only need to record the activity's date, a description of the event, and the total amount received from all contributors paying a total of \$50 or less. You do not have to keep track of how much each person contributed and record that information in your records. In-kind contributions of \$50 or under received in connection with one of the events need not be reported at all. Any event satisfying one of the criteria listed below qualifies as a low-cost fundraiser.

If someone pays over \$50 to participate in the event (or pays more than \$50 to purchase auction or sale items) or contributes goods or services valued at more than \$50 in connection with the event, you must record that information in your contributor records. However, the remainder of the funds collected from participants paying a total of \$50 or less may still be lumped together and recorded as a single sum.

Some people invited to low-cost fund raisers will not pay at the door, but rather will forward a check either before or after the event. So long as they attend the event you may treat their contribution like other funds received in connection with the event. However, if someone informs you that he or she does not plan to attend the fund raiser, but sends along a contribution anyway, that money is treated as a regular contribution and is not lumped together with fund raiser receipts.

### **Events that qualify as low-cost fund raisers:**

- retail sales of goods or services at a reasonable approximation of their fair market value (e.g., a garage sale, or selling campaign buttons or T shirts for near the per-item price you paid for them);
- a licensed and legally operated gambling event [contact the Washington State Gambling Commission at (360) 486-3440 for information on raffles and other gambling events];
- a food and beverage event where the admission price or the cost for the food and beverages is no more than \$25;
- an entertainment event (concert, dance, theater performance, etc.) where the admission price is no more than \$25; and
- an auction or similar sale where the total fair market value of items donated by any person is no more than \$50.

### **The entire event does not qualify as a low-cost fund raiser if you:**

- sell goods or services at a price that exceeds their fair market value, or
- hold events having an admission price of more than \$25\*, or
- hold an auction and anyone donates items worth more than \$50.

f one of the above occurs, you must record the amounts given by each contributor participating in the event.

[\*Note, if the admission price to an event is more than \$25, the event does NOT qualify as a low-cost fund raiser even if deducting for the cost of consumables would reduce the contribution amount to \$25 or less.]

## Loans

All loans, regardless of the source, received by the candidate or his/her campaign must be by written agreement. Under mini reporting, candidates may not receive loans that exceed the mini reporting thresholds of raising and spending no more than \$3,500 in the campaign, not including the filing fee, and not accepting more than \$300 from any one contributor, other than the candidate.

Candidate Loans: Candidates may choose to make loans to their own campaigns from their own personal funds. Under state law, the maximum amount a campaign may repay the candidate for all loans he or she made to the campaign is \$4,300. However, candidates filing under the mini reporting threshold of \$3,500 will not be able to reach the allowable loan repayment amount.

Commercial Loans: Loans to a candidate or candidate's committee from commercial lending institutions made in the regular course of business on the same terms ordinarily available to the public are considered loans to the candidate.

Non-Commercial Loans: A loan from an individual, political committee, corporation, union, or other entity that is received by the candidate or the campaign is a contribution to the campaign from the lender. Candidates filing under the mini reporting threshold are limited to a maximum of \$300 in the aggregate per contributor.

## Keeping Records of Contributions

For each contribution received (with the exception of contributions of \$50 or less received at a qualifying low-cost fund raiser), the following information must be noted in your records:

- date contribution was received by the campaign;
- name, address, city, state and zip code of the contributor;
- amount of the contribution (or the value and description of an in-kind contribution);
- total amount the contributor has given since the start of your campaign, including loans, pledges and monetary and in-kind contributions; and
- occupation of any individual who has given more than \$100 in the aggregate since the beginning of the campaign and the name, city and state of the individual's employer. (Failure to comply with this or any other reporting requirement could result in the campaign being found in substantial non-compliance with the disclosure law and its implementing rules.)

**Each monetary contribution must be deposited into your account within five business days of receipt.** This means that campaigns must make bank deposits of all monetary contributions at least weekly.

Remember, a contribution of more than \$70 in currency (cash) may not be accepted from any source. Further, political committees, political parties and caucus committees must make all monetary contributions by check, regardless of amount.

## "Receipt" of Contributions

In the past, some campaigns have had difficulty determining when a contribution is officially considered received. In order to remedy this confusion, the Commission adopted the following administrative rule.

"Receipt" of a campaign contribution shall be deemed to occur at the earliest of the following:

- the date that the candidate, treasurer, deputy treasurer, campaign manager, campaign chairperson or similarly situated campaign official obtains possession of the contribution, or
- the date that the candidate, treasurer, deputy treasurer, campaign manager, campaign chairperson or similarly situated campaign official is informed of the contribution, or becomes aware that the campaign, or in the case of an earmarked contribution, the intermediary, has possession of the contribution, or
- the date that the contribution becomes available for use by the candidate or committee.

## Sources of Contributions

Candidates and treasurers who file disclosure reports listing their sources of contributions must often make decisions about whom to show as the contributor.

Contributors have the obligation to inform campaigns of the true and actual sources of the donation at the time the contribution is made. However, in the absence of other information concerning a contribution's true source, follow the interpretations given below when keeping records.

**One-Party Personal Checks:** List the name printed on the top of the check as the contributor.

**Joint Personal Account Checks:** Attribute equal parts of the contribution to the names of the individuals printed on the check, or the whole amount to both individuals, unless a written explanation to the contrary accompanies the contribution. (For example, in the case of a \$100 check drawn on the account of John and Mary Smith, the entire amount could be attributed to John and Mary as a unit, or \$50 to John and \$50 to Mary.)

**Checks Drawn on Sole-Proprietor Business Accounts:** For contribution purposes, the owner of the business and the business entity are considered one and the same. Show the business owner's name as the contributor. The owner's aggregate contribution total must include donations from his/her personal funds as well as from the business.

**Partnership Account Checks:** List the partnership as the contributor, unless the contribution is to be paid from one or more of the partners' capital accounts, in which case the contribution is attributed to the partner or partners whose funds are being used. Written notice of this arrangement should accompany the check.

**Corporate, Union or Association Account Checks:** Show the contribution as coming from the corporation, union or association whose name is printed on the check, unless the giver is affiliated for contribution purposes with another entity, in which case the contribution is attributed to both entities.

**PAC Checks:** Show the political committee whose name is printed on the check as the contributor.

**Contributions From Minors:** Contributions by unemancipated children under eighteen years of age are considered contributions by their parents and are attributed proportionately to each parent. In the case of a single custodial parent, the total amount of the contribution is attributed to that parent; otherwise, 50% of the contribution is attributed to each parent.

Contributions from emancipated children under eighteen years of age are considered contributions from the child if the decision to contribute is made knowingly and voluntarily by the child, the contribution is from a source owned and controlled exclusively by the child, and the contribution does not result from a gift intended to give the child the wherewithal to contribute.

### **Contributions of Uncertain Origin**

Do not deposit any contribution or accept any in-kind contribution if you know or suspect it has been made in a fictitious name, or by one person through an agent, relative, political committee, or any other person so as to conceal the true source. Return such a contribution within ten calendar days to the source, if known, or endorse the check and make it payable to the Washington State Treasurer. Send the check to PDC, along with an explanation, for deposit in the state's general fund.

### **In-Kind Contributions**

Monetary contributions are not the only things of value received by campaigns. Frequently, contributors will donate goods and services in lieu of or in addition to their monetary donations.

Incidental in-kind contributions -- those in-kind donations that either singly or in conjunction with other in-kinds from the same contributor do not exceed \$25 in value -- do not need to be added into the contributor's contribution total. This means that someone could allow the campaign to use his or her conference room, copier or make a few local calls on the contributor's telephone without incurring a reportable contribution. Obviously, since little things have a way of adding up, if someone frequently provides the campaign with small items or services, a record had best be kept so that it will be apparent if the \$25 threshold is reached.

Another example of an incidental in-kind contribution that is not reportable is when an association merely relays to its members a request from a candidate or political committee for contributions. The association could not, however, collect contributions from any source -- including its members -- and pass those contributions along to the intended recipient. Also, if an association does more than relay a request for a contribution or put a candidate in touch with a potential contributor, the association will be seen as exercising direction or control over the ensuing contribution and its value will be fully attributed to the association as well as the person supplying the contribution.

Associations and other entities may arrange to have their members provide volunteer services to a candidate or political committee without an in-kind contribution occurring so long as the coordination involved in this activity only results in incidental expenditures to the association as discussed above.

Other common examples of in-kind contributions are donated office space, printing, polling services, training of campaign workers, professional assistance to campaign managers or help with preparation of political advertising. When a candidate or another person makes out-of-pocket campaign expenditures that are not reimbursed by the campaign, those expenditures also constitute in-kind contributions.

As discussed under "Volunteer Services," the personal services of campaign volunteers who perform common volunteer functions are not reportable as in-kind contributions so long as the volunteers are not paid by anyone for the campaign work they do. However, if an individual assists the campaign while on the company payroll or if he or she is otherwise compensated by his or her employer for the campaign work performed, that person's employer is making an in-kind contribution to the campaign.

A candidate's time spent on his or her own campaign is not reported as a contribution unless an employer gives a candidate time off with pay to campaign. If this happens, the employer is making a reportable in-kind contribution. An employer does not make a contribution if an employee who happens to be a candidate or other campaign staff member takes earned, paid leave time to campaign.

The contribution's fair market value is the amount a well-informed buyer or lessee, willing but not obligated to buy or lease, would pay; and what a well-informed seller, or lessor, willing but not obligated to sell or lease, would accept.

Generally, this means the amount the contributor would ordinarily expect to receive if someone were paying him or her to provide the item or service. For example, if a candidate is given materials by a local retail hardware store for the construction of yard signs, an in-kind contribution has been made equal to the current retail sales price of the materials.

However, if the business donating the materials is a wholesale supplier, the in-kind contribution is equal to the amount this wholesaler charges its customers for the materials.

## Expenditures and Debts

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### Definition

The term "expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value. It includes a contract, promise or agreement, whether or not legally enforceable, to make an expenditure.

The term "expenditure" also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign.

Transfers between bank accounts (from checking to savings, for example) are not considered expenditures.

### Permissible Expenditures

**Campaign funds may only be used for expenditures that are directly related to the candidate's campaign.** Although by no means a complete list of allowable campaign expenses, the following will give you some idea of what types of expenses are permitted:

- Campaign employees and consultants;
- Campaign headquarters, office equipment and supplies;
- Campaign fund raising activities (including candidate's portion of joint fund raising expenditures shared with other candidates);
- Filing fees paid when candidate files Declaration of Candidacy;
- Political advertising expenses (including advertising that immediately follows an election thanking contributors and voters for their support);
- lists of voters in the candidate's district;
- lists of potential contributors;
- polling and voter ID expenses;
- payments to accountants, bookkeepers, lawyers, computer consultants and the like for assistance in complying with PDC and election laws (note that this type of assistance may be provided free to the campaign without a contribution ensuing); and
- any other expense that is directly related to the candidate's election campaign.

Further, although the law prohibits using campaign funds to make a contribution to another candidate or political committee (other than using surplus funds to give to a political party or caucus committee), it is OK for a candidate to use his or her campaign money to attend an event held by another candidate, a political party or committee so long as attending the event is directly related to the candidate's own campaign and the candidate's campaign only pays the per-person cost of consumables provided at the event. That is, the candidate uses his or her campaign money only to pay for his or her share of the actual cost of food, beverages, preparation, catering and entertainment furnished at the event. If the candidate wishes to pay the full admission charge, he or she must use his/her own personal funds to do so.

Remember that any expenditure of \$50 or more in currency (actual cash dollars) may only be made if a written receipt signed by the vendor (or the recipient of the money) and the treasurer or candidate is made part of your committee's records.

Also keep in mind that expenditures may only be made, incurred or authorized by the candidate or the campaign treasurer.

## **Surplus Funds Accounts**

**Who Needs to Set Up a Surplus Funds Account:** Any elected official who wants to spend surplus campaign funds for non-reimbursed public office related expenses must set up a Surplus Funds Account in order to make these types of expenditures.

The other six legally permissible options for disposing of surplus campaign funds found in RCW 42.17.095 and listed below in "Using the Account" may be engaged in either with a Surplus Funds Account or directly out of the old campaign account. However, the dangers of not setting up a separate Surplus Funds Account and simply disposing of surplus funds out of the now inactive campaign account are:

- 1) the funds can't be used for non-reimbursed public office related expenses; and
- 2) once new campaign monies are co-mingled with any existing surplus balance, or the surplus is carried forward to a new campaign, or expenditures triggering candidacy for a new campaign are made out of the account, none of the funds in the account is considered surplus and the money now may only be used for expenditures that are directly related to the new campaign.

**Opening the Account:** Take all or a portion of truly surplus funds and open a separate Surplus Funds Account (or transfer latest surplus into an already existing Surplus Funds Account).

"Surplus funds" are the balance of contributions given for a specific election that remain after the election and are not needed to pay off that election's campaign debts. Funds remaining after an election are NO LONGER SURPLUS FUNDS if they have been carried forward to a new campaign, mingled with new contributions for a future election, or used to make expenditures for a future election campaign.

**Using the Account:** According to RCW 42.17.095(7), you may only use monies in a Surplus Funds Account for one or more of the following:

- non-reimbursed public office related expenses;\*
- refunds to contributors [repayment of a candidate's loans to his/her own campaign are subject to the maximum repayment permitted by RCW 42.17.125(3); currently, that maximum is \$4,000 per election];
- payments to the candidate for verifiable earnings lost because of campaigning;
- unlimited contributions to a bona fide political party or caucus political committee;
- donations to a charity registered with the Secretary of State in accordance with RCW 19.09;



- deposits into the state's general fund, the oral history, state library, and archives account under RCW 43.07.380, or the legislative international trade account under RCW 44.04.270, as specified by the candidate or political committee; and
- transfers to your campaign account for use in a future election (if a different office is sought than the one for which the surplus funds were initially raised, written permission will have to be obtained from contributors before the surplus may be used to seek the different office).

## Bookkeeping Tips

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This section includes some hints to assist treasurers in compiling and reporting campaign finance information.

The law requires that accurate records be maintained. Use any bookkeeping system that meets this requirement. If you have ideas that would help other treasurers, please share them.

### Deducting Cost of Consumables

Review the discussion on Fund Raising Events and Qualifying Low-Cost Fund Raisers beginning on page 30.

The law permits that the amount of a contribution received in connection with a fund raising event (such as a dinner) may be reduced by the cost of the food, beverages, preparation, catering or entertainment furnished at the event.

If you choose to do this, some special bookkeeping techniques are necessary and you'll probably want to set up a subsidiary set of records for the event.

In order to deduct the cost of consumables from each contribution received, you have to determine the per person amount to be deducted. To do this, add up all the separate charges for food, beverages, preparation, catering and entertainment provided at the event. Divide this total by the number of persons you planned for, the number you told the caterer to provide food for. (This number of persons will likely be smaller than the number of persons invited, but may be larger than the number who actually show up. Nevertheless, using the number of attendees you relied on for planning purposes is a fair way to compute the per-person cost of consumables.)

The amount you arrive at after dividing the total cost of consumables by the number of persons you planned would attend is the per-person consumables cost. Deduct this amount from each attendee's donation check. If you did not charge a uniform admission amount, the figure for each contributor will vary. However, if you asked each person, for example, to contribute \$100 and the per person consumables cost was \$20, you would indicate \$80 contribution from each contributor who attended. (Note, if someone did not attend the event, but sent a contribution anyway, you cannot deduct the cost of consumables from that person's contribution. It would be reported at the full amount.)

### Joint Fund Raising and "Slate" Committees

Candidates are advised to follow these guidelines when participating in joint fund raising efforts with other candidates and in committees that support a slate of candidates.

**Joint Fund Raising:** A separate joint fund raising account is established. There is no need to register this account with PDC as a separate committee. All contribution checks are made out in the name of the joint fund raising account. All joint fund raising expenses are paid out of this account. After expenses are paid, the account will distribute the remaining funds to all participants on a pro-rated basis. That is, if there are four candidates participating, each receives one-fourth of the net receipts.

Accompanying this payment to each candidate will be a list of contributor names and addresses and the full amount of each candidate's pro-rated share. For example, if a donor gave \$500 to the joint fund raising effort of four candidates, the list would show this contributor giving each candidate \$125. [Note that if a contributor's pro-rated amount to each candidate is \$100 or more, and the contributor is an individual, then the candidate will need to obtain the contributor's occupation and employer in addition to name and address.]

Alternatively, each candidate involved in a joint fund raising event could pay a set percentage of the expenses and receive a similar percentage of the funds collected at the event. For example if one candidate were responsible for 60% of the expenses at a joint fund raising event, then that candidate would receive 60% of the funds remaining after expenses are paid. Each candidate committee participating in the event would receive a pro-rated or proportional amount of the funds collected in relation to the expenses paid by that committee.

**"Slate" Committees:** The law allows candidates to participate in committees organized to support a slate of candidates. Unlike joint fund raising efforts, slate committees do not pass along the money raised to the candidates involved, but rather directly spend the contributions received in a manner that benefits all the candidates participating in the committee.

Slate committees register and report like any political committee. On its C-1pc registration statement, a slate committee would check the "other" box in the purpose or description of committee section, and attach a sheet explaining that it is a committee organized to support a slate of candidates. The names and offices sought of the candidates participating would also be listed on this attachment.

The law requires that all contributions made by a contributor directly or indirectly to a candidate be considered as contributions to that candidate. [RCW 42.17.670] As such, contributors to slate committees are, in fact, giving to the candidates who are participating in the committee.

# Electronic Filing of Personal Financial Affairs Statement

Public officials and candidates have the opportunity to file their annual Personal Financial Affairs Statement electronically over the Internet. The F-1 electronic filing process provides an easy way for elected officials, state appointed officials and candidates to comply with state reporting requirements.

Officials may use agency computers and staff to file annual F-1 reports (since filing requirement stems from their holding public office).

Minimum system requirements for Macintosh & Windows compatible PC's			
	<a href="#">Adobe Acrobat</a>	<a href="#">Internet Explorer</a>	<a href="#">Netscape</a>
Windows PC	5.0x or higher	5.0x or higher	4.7x or higher
Macintosh	5.0x or higher	5.5x or higher	4.7x or higher

## How to File Electronically

To electronically file, go to the PDC web page at [www.pdc.wa.gov](http://www.pdc.wa.gov) and select the following:

- Click -- Electronic Filing
- Click – Personal Financial Affairs Filers
- Select your account status
- Click – Previous Filer or Never Filed
- Complete the personal information template (starred items are mandatory) and create a password. Print, sign and mail the signature authorization and password identification form to the PDC at PO Box 40908, Olympia, WA 98504-0908.

At this point a temporary identification number has been assigned and filers can continue to fill out the F-1 template for electronic filing. Once the template is completed, filers need to print a copy of the report for their records using the adobe acrobat print button.

The PDC will hold the filer's electronically submitted report until the completed signature authorization and password identification form is received by the agency.

First time electronic filers **MUST** initially submit a full F-1 report and F-1 Supplement, if necessary, even if the filer has a full report currently on file. Next year, the electronic report will automatically fill in the information previously submitted and changes to the report can be made on-line for purposes of submitting that year's report.

## Contact Information

For assistance with **electronic filing**, contact:

Sally Parker at:

Phone: (360) 586-2869  
Toll free: 1-877-601-2828  
FAX: (360) 753-1112  
E-Mail: [sparker@pdc.wa.gov](mailto:sparker@pdc.wa.gov)

# County Election Officials

Adams County Auditor	210 W Broadway		Ritzville	WA	99169-1860	509-659-3247
Asotin County Auditor	135 2nd St	PO Box 129	Asotin	WA	99402-0129	509-243-2084
Benton County Auditor	620 Market St	PO Box 470	Prosser	WA	99350-1300	509-786-5618
Chelan County Auditor	Washington & Orondo Sts	PO Box 400	Wenatchee	WA	98807	509-667-6806
Clallam County Auditor	223 East 4 <sup>th</sup> Ste 1		Port Angeles	WA	98362-0338	360-417-2217
Clark County Auditor	1200 Franklin St	PO Box 5000	Vancouver	WA	98666-5000	360-397-2345
Columbia County Auditor	341 E Main St		Dayton	WA	99328-1361	509-382-4541
Cowlitz County Auditor	207 4th Ave N		Kelso	WA	98626	360-577-3005
Douglas County Auditor	213 S Rainier	PO Box 456	Waterville	WA	98858-0456	509-745-8527 x400
Ferry County Auditor	350 E Delaware	PO Box 498	Republic	WA	99166-0498	509-775-5200
Franklin County Auditor	1016 N 4th Ave	PO Box 1451	Pasco	WA	99301-3706	509-545-3519
Garfield County Auditor		PO Box 278	Pomeroy	WA	99347	509-843-1411
Grant County Auditor	35 C St NW	PO Box 37	Ephrata	WA	98823-0037	509-754-2011 x333
Grays Harbor County Auditor	100 W Broadway Ste 2		Montesano	WA	98563	360-249-4232
Island County Auditor	1 NE 7th St	PO Box 5000	Coupeville	WA	98239-5000	360-679-7366
Jefferson County Auditor	1820 Jefferson St	PO Box 563	Port Townsend	WA	98368	360-385-9117
King County Records & Elections	County Admin Bldg #553	500 4th Ave	Seattle	WA	98104-2337	206-296-1548
Kitsap County Auditor	614 Division St		Port Orchard	WA	98366	360-337-7128
Kittitas County Auditor	205 West 5th Ave		Ellensburg	WA	98926	509-962-7504
Klickitat County Auditor	205 South Columbus #203		Goldendale	WA	98620	509-773-2309
Lewis County Auditor	351 NW North St	PO Box 29	Chehalis	WA	98532-1900	360-740-1164
Lincoln County Auditor	450 Logan St	PO Box 28	Davenport	WA	99122-0028	509-725-4971
Mason County Auditor	411 N 5th	PO Box 400	Shelton	WA	98584-3400	360-427-9670 x470
Okanogan County Auditor	149 3rd N	PO Box 1010	Okanogan	WA	98840-1010	509-422-7244
Pacific County Auditor	300 Memorial Ave	PO Box 97	South Bend	WA	98586-5000	360-875-9317
Pend Oreille County Auditor	625 West 4th	PO Box 5015	Newport	WA	99156-5015	509-447-3185
Pierce County Elections	2401 S 35th St #200		Tacoma	WA	98409	253-798-3217
San Juan County Auditor	350 Court St	PO Box 638	Friday Harbor	WA	98250	360-378-3357
Skagit County Auditor	700 S 2nd St	PO Box 1306	Mount Vernon	WA	98273-4225	360-336-9305
Skamania County Auditor	240 NW Vancouver St	PO Box 790	Stevenson	WA	98648-0790	509-427-9420
Snohomish County Aud/Rec Div	3000 Rockefeller Ave #505		Everett	WA	98201-4046	425-388-3625
Spokane County Auditor	1033 W Gardner Ave		Spokane	WA	99260	509-477-2791
Stevens County Auditor	215 S Oak St #106		Colville	WA	99114-2836	509-684-7514
Thurston County Auditor	2000 Lakeridge Dr SW		Olympia	WA	98502	360-786-5408
Wahkiakum County Auditor	64 Main St	PO Box 543	Cathlamet	WA	98612	360-795-3219
Walla Walla County Auditor	315 W Main St	PO Box 1856	Walla Walla	WA	99362	509-524-2530
Whatcom County Auditor	311 Grand Ave Ste 103		Bellingham	WA	98225	360-676-6740
Whitman County Auditor	N 404 Main St	PO Box 350	Colfax	WA	99111-2071	509-397-6270
Yakima County Auditor	128 N 2nd St #117		Yakima	WA	98901	509-574-1343

## Pertinent Government Agencies

QUESTIONS ABOUT	AGENCY	TELEPHONE
Business Licenses	Department of Licensing 1125 Washington St. SE, M/S 8001 Olympia, WA 98504-8001 or Local City Clerk or Treasurer	360-664-1400
Candidates Voter Pamphlet	County Auditor or Secretary of State	360-902-4151
Declarations of Candidacy	County Auditor or Secretary of State	360-902-4151
Election Laws	County Auditor or Secretary of State	360-902-4180
Employee Withholding (W-4 form)	Internal Revenue Service (local office)	800-829-3676
Employer ID Number (Form SSÄ4)	Internal Revenue Service (local office)	800-829-4933 or 800-829-3676
Federal Campaign Reporting	Federal Election Commission 999 E Street, N.W. Washington, D.C. 20463	800-424-9530
Federal Income Tax (Form 1120-POL)	Internal Revenue Service (local office)	800-829-1040
Gambling Permits (bingo, raffles)	Gambling Commission 4565 7 <sup>th</sup> Avenue SE Lacey, WA 98503	360-486-3440
Health Permits (food sales)	County or City Health Department	
Incorporation	Secretary of State 801 Capitol Way South, PO Box 40234 Olympia, WA 98504-0234	360-753-7115
Liquor and Banquet Permits	Local WA State Liquor Store or Liquor Control Board 3000 Pacific, PO Box 43075 Olympia, WA 98504-3075	306-664-1600
Political Broadcasting	Federal Communications Commission Broadcast Bureau Washington, D.C. 20554	202-418-1440
Postal Permits	Local U.S.Post Office	
Sign Regulations	See next page	
Social Security	Social Security Administration (local office)	
State Taxes	Department of Revenue PO Box 47462 Olympia, WA 98504-7450	800-647-7706

## WSDOT Region Outdoor Advertising Representatives

### **Northwest Region**

Mario Mathisen  
WSDOT  
PO Box 330310  
Seattle, WA 98113-9710  
(206) 440-4394

### **North Central Region**

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### **Olympic Region**

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PO Box 47440  
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### **Southwest Region**

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PO Box 1709  
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### **South Central Region**

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PO Box 12560  
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